**66722-057-7****PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Steen Barbrand Rasmussen

Serial No.: PCT/DK03/00011  
(10/501,224)

Filed: (10 Jan. 2002)

) PATENT  
) Confirmation No. 3799  
)  
) Customer No.: 25269  
)  
)  
)

For: PIEZO ELECTRIC PUMP AND DEVICE WITH SUCH PUMP

**RENEWED PETITION UNDER 37 C.F.R. §1.47(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 18, 2005

Sir:

Referring to the Decision On Petition, dated May 19, 2005, the undersigned herewith submits (1) a legal opinion prepared by Troels Libak Stollberg, a member of the Danish Bar, concluding that Interacoustics A/S Assens (Denmark) has legal ownership of this application, and (2) an executed Declaration and Power of Attorney which has been signed on behalf of the inventor by Niels Jacobsen, Chairman of the Board of Interacoustics A/S Assens.

The undersigned asserts that the granting of this petition is necessary to preserve the rights of the parties or prevent irreparable damage.

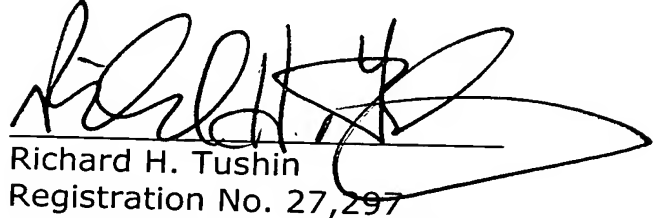
**RECEIVED**  
22 JUL 2005  
Legal Staff  
International Division

The granting of this Petition is requested.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:

A handwritten signature in black ink, appearing to read 'Richard H. Tushin', written over a horizontal line.

Richard H. Tushin  
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ID\RHT



William Demant / Holding

TO WHOM IT MAY CONCERN

Hellerup, 12 July 2005  
TLS/

**Legal opinion - Ownership of IPR created by Mr. Steen B. Rasmussen during employment in the William Demant Holding Group**

In my capacity as Vice President, Legal Affairs, of William Demant Holding A/S as well as advocate admitted to the Danish Bar I hereby render the following legal opinion:

- William Demant Holding A/S ("WDH") is a Danish company, listed in the top-20 KFX-index of the Copenhagen Stock Exchange. Rhinometrics A/S, Oticon A/S and Interaoustics A/S, Assens are wholly owned Danish subsidiaries of WDH. Further on WDH's corporate structure can be found at [www.demant.com](http://www.demant.com)
- WDH acquired Rhinometrics A/S in 1996. Mr. Steen B. Rasmussen, civil engineer of education, was employed as managing director of Rhinometrics A/S effective 1 July 1996. His employment agreement had no individual regulation on intellectual property rights. The agreement was terminated by WDH effective 30 November 2003.
- Inventions made by employees in Danish companies – no matter their position – are regulated by the Danish Employee Inventions Act ("Lov om arbejdstageres opfindelser") of 18 March 1986 as amended 26 February 1992. The employer is according to section 5 hereof entitled to ask the employee to transfer the ownership globally of any invention made within the employee's field of work. Furthermore the employee is not entitled to any remuneration for such transfer, in case the value of the inventions does not exceed what with fairness could be expected performed by the employee in his position. Under general Danish legal principles the ownership can be assigned by the employer at the employer's discretion.
- The Danish Maritime and Commercial Court ("Sø- og Handelsretten") in Copenhagen on 20 May 2005 voted in favour of Oticon A/S fully releasing the WDH-subsiary from a claim by a former engineer based on the Danish Employee Inventions Act section 8. Even though any court decision is specific the judgment is representative for the current Danish case law.

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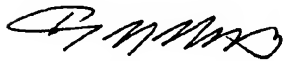
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- Mr. Steen B. Rasmussen during his employment with Rhinometrics A/S accepted to let some of his inventions be patented in the name of a sister company within the WDH-group, Interacoustics A/S, Assens, including the pending applications PCT DK03/00011 and PA 2002 00038
- Based on the above the ownership to the pending applications PCT DK03/00011 and PA 2002 00038 as well as the underlying inventions belongs to Interacoustics A/S, Assens. The expedition of the above patent applications, including registrations and renewals, does under Danish law not need a signature from Mr. Steen B. Rasmussen.

Please feel free to contact me for any questions or comments at +45 3913 8209 or [tls@demant.dk](mailto:tls@demant.dk)

*Yours sincerely*

William Demant Holding A/S



Troels Libak Stollberg, advokat  
Vice President, Legal Affairs

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